

**BALDASSARE & MARA, LLC**

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA and  
STATE OF NEW JERSEY *ex rel.* RAFI  
KHATCHIKIAN and IVAN TORRES,

*Plaintiffs/Relators,*

v.

PORT IMPERIAL FERRY  
CORPORATION; PORT IMPERIAL  
FERRY CORPORATION d/b/a NY  
WATERWAY; ARTHUR IMPERATORE,  
President; ALAN WARREN, Vice President;  
ROMULUS DEVELOPMENT CORP.;  
BILLYBEY FERRY COMPANY, LLC;  
WILLIAM WACHTEL; ABC  
CORPORATIONS 1-10 (same names being  
fictitious) and JOHN DOES 1-10 (same  
names being fictitious),

*Defendants.*

Civil Action No.: 2:16-cv-2388 (KM) (AME)

**NOTICE OF DEFENDANTS'  
MOTION TO DISMISS  
COUNT SIX OF THE  
FIRST AMENDED COMPLAINT**

**TO:** Michael D. Fitzgerald, Esq.  
Law Offices of Michael D. Fitzgerald  
1701 Pennsylvania Ave. NW, Suite 200  
Washington, DC 20006

Gerald C. Robinson, Esq.  
Halunen Law PLLC  
80 South 8th St., Suite 1650  
Minneapolis, MN 55402

**PLEASE TAKE NOTICE** that Defendants Port Imperial Ferry Corporation, Port Imperial Ferry Corporation d/b/a NY Waterway, Arthur Imperatore, Romulus Development Corp., and Billybey Ferry Company, LLC (“Defendants”), by and through their attorneys, Baldassare & Mara, LLC (Jennifer Mara, Esq., appearing), shall move before the Honorable Kevin McNulty,

United States District Judge, on November 7, 2022, or as soon thereafter as counsel may be heard, for an Order Dismissing Count Six of Plaintiffs' First Amended Complaint;

**PLEASE TAKE FURTHER NOTICE** that in support of their Motion to Dismiss, Defendants rely upon the accompanying brief and any future filings in support their motion, and oral argument;

**PLEASE TAKE FURTHER NOTICE** that Defendants join in co-defendant Alan Warren's Motion to the extent it is consistent with and applicable to Defendants;

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted herewith;

**PLEASE TAKE FURTHER NOTICE** that oral argument is hereby requested.

Dated: July 29, 2022

By: /s/ Jennifer Mara  
Jennifer Mara, Esq.